

ENTERED

July 02, 2021

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

CORTRIE GAINES,	§	CIVIL ACTION NO.
Plaintiff,	§	4:21-cv-01605
	§	
	§	
vs.	§	JUDGE CHARLES ESKRIDGE
	§	
	§	
TIMOTHY VIGIL and	§	
HITTMAN TRANSPORT	§	
SERVICES INC,	§	
Defendants.	§	

**ORDER ADOPTING
MEMORANDUM AND RECOMMENDATION**

This case involves claims by Plaintiff Cortrie Gaines against Defendants Timothy Vigil and Hittman Transport Services, Inc for personal injuries sustained in a car accident. See Dkt 1-3 at 7.

The case was referred for disposition to Magistrate Judge Sam S. Sheldon. Dkt 5. Gaines subsequently filed an unopposed motion to remand this action to state court, explaining that the parties agree that this case doesn't satisfy the required amount in controversy. See Dkt 6. The Magistrate Judge recommended that the motion by Reese be granted. Dkt 7. Neither party filed an objection.

The district court conducts a *de novo* review of those conclusions of a magistrate judge to which a party has specifically objected. See 28 USC § 636(b)(1)(C); *United States v Wilson*, 864 F2d 1219, 1221 (5th Cir 1989). To accept any other portions to which there is no objection, the reviewing court need only satisfy itself that no clear error appears on the face of the record. See *Guillory v PPG Industries Inc*, 434 F3d 303, 308 (5th Cir 2005), citing *Douglass v United Services Automobile Association*, 79 F3d 1415, 1420 (5th Cir 1996); see also FRCP 72(b) Advisory Comm Note (1983).

The Court has reviewed the pleadings, the record, the applicable law, and the recommendation. No clear error appears on the face of the record.

The Memorandum and Recommendation of the Magistrate Judge is ADOPTED as the Memorandum and Order of this Court. Dkt 7.


The motion to remand this action to state court by Plaintiff Cortrie Gaines is GRANTED. Dkt 6.

This case is REMANDED to the 157th Judicial District Court of Harris County, Texas.

The Clerk of Court is DIRECTED to provide a copy of this Opinion to the District Clerk for Harris County, Texas.

SO ORDERED.

Signed on July 2, 2021, at Houston, Texas.


Hon. Charles Eskridge
United States District Judge